

Revised Answer key AIBE-XII (2018)

| Question No. | Set - A | Set - B | Set - C | Set - D |
|--------------|---------|---------|---------|---------|
| 1 | B | D | | C |
| 2 | A | B | D | D |
| 3 | D | D | A | C |
| 4 | | C | C | C |
| 5 | D | A | A | D |
| 6 | C | D | A | C |
| 7 | D | D | A | A |
| 8 | C | B | C | D |
| 9 | C | B | A | D |
| 10 | D | D | D | B |
| 11 | B | A | C | A |
| 12 | | D | A | D |
| 13 | D | B | A | C |
| 14 | C | A | D | B |
| 15 | A | D | A | C |
| 16 | D | | D | |
| 17 | D | D | C | D |
| 18 | B | C | D | |
| 19 | A | | D | A |
| 20 | D | D | A | D |
| 21 | A | C | C | A |
| 22 | C | A | D | |
| 23 | A | A | B | D |
| 24 | A | D | A | C |
| 25 | D | A | D | B |
| 26 | A | C | C | D |
| 27 | A | D | D | C |
| 28 | B | C | C | D |
| 29 | D | D | C | B |
| 30 | B | C | | C |
| 31 | A | C | A | A |
| 32 | C | A | D | A |
| 33 | B | D | A | D |
| 34 | A | A | D | A |
| 35 | A | A | | D |
| 36 | A | D | D | C |
| 37 | C | B | C | D |
| 38 | A | C | D | D |
| 39 | D | | B | C |
| 40 | D | B | D | D |
| 41 | D | A | C | A |
| 42 | D | B | A | B |
| 43 | C | D | D | D |
| 44 | A | A | D | A |
| 45 | D | D | B | D |
| 46 | C | D | | B |
| 47 | B | | D | C |
| 48 | C | D | C | |

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| Question No. | Set - A | Set - B | Set - C | Set - D |
|---------------------|----------------|----------------|----------------|----------------|
| 49 | | C | B | B |
| 50 | B | B | A | A |
| 51 | A | D | B | C |
| 52 | B | A | D | C |
| 53 | D | C | C | C |
| 54 | A | D | D | A |
| 55 | D | A | A | D |
| 56 | C | D | D | D |
| 57 | C | A | C | D |
| 58 | A | B | B | C |
| 59 | C | D | D | D |
| 60 | D | A | A | A |
| 61 | | A | D | D |
| 62 | D | A | C | D |
| 63 | C | C | D | |
| 64 | D | A | D | D |
| 65 | C | C | B | C |
| 66 | D | | A | C |
| 67 | D | D | C | D |
| 68 | B | C | B | D |
| 69 | C | B | C | B |
| 70 | C | C | C | D |
| 71 | C | D | C | A |
| 72 | C | D | A | D |
| 73 | A | B | D | A |
| 74 | B | A | A | A |
| 75 | D | C | D | A |
| 76 | A | B | B | C |
| 77 | C | C | C | B |
| 78 | D | C | | D |
| 79 | A | A | B | A |
| 80 | D | C | A | D |
| 81 | A | B | C | B |
| 82 | C | C | C | D |
| 83 | | A | A | A |
| 84 | D | D | C | C |
| 85 | C | C | B | A |
| 86 | B | A | D | C |
| 87 | C | C | A | A |
| 88 | D | D | D | C |
| 89 | D | D | D | D |
| 90 | B | C | D | C |
| 91 | D | D | D | C |
| 92 | A | D | C | A |
| 93 | D | C | B | C |
| 94 | A | C | C | B |
| 95 | C | C | D | A |
| 96 | D | A | C | C |

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|---------------------|----------------|----------------|----------------|----------------|
| 97 | C | D | B | B |
| 98 | D | D | D | B |
| 99 | D | D | A | A |
| 100 | C | C | C | D |

Bar Council of India
All India Bar Examination – XII
10th-June-2018
[Set Code-A]
LANGUAGE – ENGLISH

| | |
|-------------------------------|--|
| Name of the Candidate: | |
| Roll Number: | |
| Enrollment Number : | |

IMPORTANT INSTRUCTIONS

(Kindly read these instructions carefully before attempting this question paper)

- This Baaklet contains 100 questions and each question carries 1 mark.
- In case of any confusion in translation, kindly refer to the English version for clarification.
- Make sure that same Question Baaklet Set code is mentioned on all the sheets of question paper, in case of any change immediately inform the invigilator.
- There is **no negative** marking.
- Duration of this exam is **3 hours** only.
- Fill in your Roll number and Question Baaklet Set code very carefully, as the answer sheet will be evaluated as per the code you mention on the answer sheet.
- Under no circumstances will the answer sheet be evaluated with any other Question Baaklet Set code
- Only books and notes are allowed for this examination.
- Mobile phones, laptop, tabs and/or any other electronic devices are strictly prohibited in the examination hall.
- On possession of any electronic device inside the examination hall, the candidate will be disqualified from the examination.
- Candidate shall not be allowed to leave the Examination Hall before the conclusion of the examination.
- Do not forget to submit the answer sheet back to the invigilator. Failing to do so would lead to **disqualification**.
- Use only **blue/black ball pen** to fill the OMR answer sheet.
- OMR filled with **pencil or ink pen** would be **disqualified**.
- Use of **whitener/ eraser /blade or fluid** is strictly **prohibited**. It will lead to **disqualification**.
- Do not make any **stray marks or tear the OMR answer sheet**. It will lead to **disqualification**.
- Write your roll number carefully and darken the correct corresponding ovals. In case wrong ovals are darkened your answer sheet **will not be evaluated**.
- Candidate must follow the instructions strictly as mentioned on the answer sheet.

1. The First constitutional amendment was enacted in
 - a) 1950
 - b) 1951
 - c) 1967
 - d) 1975
2. A person instigates any person to do an offence or illegal act or omission attracts
 - a) Section 107 IPC
 - b) Section 120(B) of IPC
 - c) Section 114 of IPC
 - d) Section 144 of IPC
3. A land mark Habeas Corpus Petition was filed during emergency, that is
 - a) Keshavanand Bharati V/s. State of Kerala
 - b) Golaknath V.s State of Punjab
 - c) MC Mehta V/s. Union of India
 - d) ADM Jabalpur V/s. Shivkant Shukla
4. Examination in Chief is conducted by the
 - a) Chief Examiner of the court
 - b) A lawyer appointed by the accused
 - c) A lawyer appointed by the government
 - d) Presiding judge in the court
5. The convention of Climate Change was the outcome of
 - a) The Stockholm Conference
 - b) The Nairobi Conference
 - c) The Vienna Conference
 - d) The Rio De Janeiro Conference
6. Who is a protected workman
 - a) Workman given police protection during labour strike
 - b) Workman protected by insurance coverage
 - c) Workman who is an executive or office bearer of a registered trade union in the establishment
 - d) Workman protected from being arrested by a court order
7. A trade mark is a visual symbol applied to articles of commerce with a view to distinguish the articles from other. It is in the form of
 - a) A word
 - b) A device
 - c) A label
 - d) All the above
8. The Indian Legal system has evolved a new technique of alternate dispute resolution which is popularly known as Lok Adalat. It owes its origin to the statutory recognition by passing of
 - a) Legal Service Corporation Act, 1974
 - b) Legal aid and advice Act, 1949
 - c) Legal Services Authorities Act, 1987
 - d) None
9. Shah Bano case was related to
 - a) Dowry demand
 - b) Harassment at work place
 - c) Maintenance of divorced Muslim women
 - d) Triple divorce of Muslim Women
10. Who can move PIL in High Court and Supreme Court,
 - a) Any public spirited person
 - b) NGO or Association with public spirit
 - c) Group of Public spirited persons who have no personal interest
 - d) All the above
11. Doctrine of 'Pleasure' applies to
 - a) Legislative
 - b) Civil servants
 - c) Judges
 - d) Cabinet Ministers
12. Section 24 A of Advocates Act 1961 provides the
 - a) Appointment of Attorney General
 - b) Regular attendance at Law College
 - c) Admitted for enrolment in Bar or State Roll
 - d) Election to state Bar Council
13. Articles of a company can be altered by
 - a) The directors of the company
 - b) The official of the company
 - c) Share holders by passing an ordinary resolution

- d) Share holders by passing a special resolution
14. Article 361 provides
- a) Authority to Union government to dismiss the state governments
 - b) Authority to the state governments to pass legislation
 - c) Protection and immunities to the President and Governors from being prosecuted in courts
 - d) None of the above
15. Uttering of words with deliberate intention to wound religious sentiments will be dealt with
- a) Section 298 of IPC
 - b) Section 296 IPC
 - c) Section 297
 - d) None of the above
16. Under Section 320(1), Cr.P.C for criminal intimidation, with section of IPC is applicable
- a) 503
 - b) 504
 - c) 505
 - d) 506
17. Which of the following is an innovative form of Alternative Dispute Resolution mechanism
- a) Bar Council of India
 - b) Election Commission
 - c) Comptroller and Auditor General
 - d) Lok Adalat
18. Which of the following is not a legal guardian of the property of Muslim minor
- a) Father
 - b) Brother
 - c) The executor appointed by father
 - d) Grand father
19. Who is garnishee
- a) A third party who is instructed by way of legal notice to surrender money to settle a debt or claim
 - b) A borrower arrested for defaulting
 - c) A person who cannot repay a bank loan
 - d) A person who mortgaged his farm land
20. Under section 18 of the Land Acquisition Act, 1894 which of the following officers is empowered to refer the matter to the court
- a) The Tahsildar
 - b) The Sub Collector
 - c) The Deputy Collector
 - d) The Collector
21. For Specific Performance of a contract suit is to be instituted in
- a) 3 years
 - b) 3 months
 - c) 6 months
 - d) No specific time limit unless mentioned in the contract
22. Permanent Account Number (PAN) is defined under
- a) Wealth Tax
 - b) GST
 - c) Income Tax Act 1961
 - d) Finance Act 1992
23. A marriage with a woman before completion of her iddat is_____:
- a) Irregular
 - b) Void
 - c) Voidable
 - d) None of these
24. Section 10 of the CPC provides for
- a) Stay of the suit
 - b) Summoning witness
 - c) Examination of witness
 - d) Sentencing the judgement
25. Who is prevented from being testified u/s 118 of Indian Evidence Act
- a) A lunatic who cannot understand the questions put to him
 - b) Extreme old age person who cannot give rational answer to the questions

- c) A tender age person who cannot give rational answer to the questions
d) All the above
26. Supreme Court decided in *SR Bommai V/s. Union of India*,
a) Relating to the President Rule in state
b) Relating to the illegal detention
c) Relating to the right to clean environment
d) None of the above
27. Recovery of specific immovable property is defined
a) Section 5 of Specific Relief Act
b) Section 120 (B) of IPC
c) Under section 10 of Sale of goods Act
d) None of the Above
28. Section 29 of the Wealth Tax Act deals with
a) Revision petition in division bench of High Court
b) Appeal in Supreme Court
c) Return of Wealth Tax
d) None of the above
29. The Collector shall under the Land Acquisition Act 1894, give immediate -----of any correction made in the award to all the persons included
a) Approval
b) Stay
c) Announcement
d) Notice
30. Clerical or arithmetical mistakes in judgements, decrees or orders etc. can be corrected
a) Under Section 151 of CPC
b) Under Section 152 of CPC
c) Under Section 153 of CPC
d) Under Section 153 A of CPC
31. Any confessional statement by the accused given to the Magistrate is
a) Admissible
b) Not admissible
c) Challengeable
d) None of the above
32. Supreme court has decided in *Keshavanand Bharati V/s. State of Kerala*, that
a) Parliament can amend any provision of the constitution
b) Parliament cannot amend any provision of the constitution
c) Parliament can amend any provision of the constitution but not to alter the basic structure and basic feature of the constitution
d) None of the above
33. Under which of the following sections of the Code of Criminal Procedure, police can arrest an accused without warrant?
a) Section 40
b) Section 41
c) Section 42
d) Section 37
34. "A" is at work with a hatchet: the head flies off and kills a man who is standing by. If there was no want of a proper caution on the part of A, his act is excusable and not an offence. It is contained in
a) Section 80 of IPC
b) Section 84 of IPC
c) Section 81 of IPC
d) Section 85 of IPC
35. *Delhi Domestic Working Women Forum v/s. Union Of India (1995) 1 SC 14*, In this PIL which issue was exposed before the court,
a) The plight of some domestic maids who were sexually assaulted by army men
b) Abolition of child labour
c) Unemployment of domestic servants in Delhi
d) Poor salary of maid servants
36. Which chapter of Cyber Law provides the legal Recognition to Digital Signature
a) Chapter III

- b) Chapter IV
 - c) Chapter IX
 - d) Chapter IX and X
37. The FIR gives information of
- a) Report to the Magistrate about the inquiry conducted by a police officer
 - b) Report submitted to the court by the investigation officer in a criminal case
 - c) The commission of a cognizable crime
 - d) None of the above
38. Definition of complainant is described in Consumer Protection Act under section ‘
- a) Section 2(1)(b)
 - b) Section 20
 - c) Section 21
 - d) None of the above
39. Which of the following deals with plaint in interpleader –suits in the code of civil procedure?
- a) Order 12, Rule 1
 - b) Order 17, Rule 10
 - c) Order 33, Rule 18
 - d) Order 35 Rule 1
40. Which is not the Private Right
- a) Rights of property
 - b) Right of freedom
 - c) Rights to Education
 - d) All the above
41. Which one of the following is true of summons under Section 61 Cr.P.C?
- a) It is milder form of process
 - b) It is for appearance
 - c) It is for producing documents or thing
 - d) All of them
42. The Kashmira Singh Vs. State of Punjab is a leading case on
- a) Dying Declaration
 - b) Admission
 - c) Confession
 - d) None of the above
43. What is main objective of Section 138 of Negotiable Instruments Act
- a) Recovery of stolen property
 - b) Recovery of seized vehicles from RTO
 - c) Recovery of the cheque amount incase cheque issued by the payer is bounced
 - d) None of the above
44. Part III of Arbitration and Conciliation Act , 1996 formalizes
- a) Process of Conciliation
 - b) Process of Arbitration
 - c) Enforcement of Foreign awards under New York and Geneva Conventions
 - d) All of the above
45. Separation of judiciary from Executive is guaranteed in constitution under Article
- a) 19
 - b) 21
 - c) 48-A
 - d) 50
46. In- camera trial is conducted in the cases charged under section
- a) 302 IPC
 - b) 307 IPC
 - c) 376 IPC
 - d) 498 –A –IPC
47. The Family courts have concurrent jurisdiction to pass a decree for dissolution of marriage under the Indian Divorce Act: In which case the order was passed:
- a) Handa v/s. Handa (AIR 1955)
 - b) Dr. Mary V/s. Dr. Vincent (AIR 1991)
 - c) Peter V/s. Anglina (AIR 1992)
 - d) None of the above
48. Punishment for Advocates for misconduct is defined in Advocates Act 1961 by
- a) Section 25
 - b) Section 33
 - c) Section 35
 - d) None of the above
49. Which one is a case of public interest
- a) Vishaka V/s State of Rajasthan

- b) Minerva Mills V/s. Union of India
AIR 1980
- c) Municipal Council, Ratlam V.s.
Vardichand AIR 1980
- d) All the above
50. Under section 239 Cr.PC, the Magistrate can
- a) Frame charges against the accused person
- b) Discharge the accused if charges are groundless.
- c) Open trial for evidence
- d) Convict the accused if pleaded guilty
51. Article 213 empowers the Governor to promulgate ordinances
- a) When the state legislature is not in session
- b) During the course of legislature session
- c) On the recommendation of the state cabinet
- d) With the permission of the union government
52. A person arrested should not be detained more than
- a) 48 hours
- b) 24 hours
- c) 14 days
- d) 90 days
53. Who of the following Muslim is not entitled to maintenance
- a) Son who is a minor
- b) Daughter who is not married
- c) Grand parents
- d) An Illegitimate son
54. In civil cases Indian Evidence Act bestows burden of proof on
- a) The Petitioner
- b) The respondents
- c) The state government
- d) The Court
55. In which of the following of Section 59 Cr. P. C the discharge of the arrested person by a police officer can take place?
- a) On his own bond
- b) On bail
- c) Under special order of the Magistrate
- d) All of them
56. Financial Relations between the state and centre are defined in constitution
- a) Between Article 245-255
- b) Between Article 256 -263
- c) Between 264 to 293
- d) None of the above
57. Mahatma Gandhiji was jailed and prosecuted by British regime in 1922 at Ahmedabad u/s 124(A) of IPC for
- a) Calling Hartal
- b) Breaching public peace and tranquillity
- c) Sedition and disaffection to the government
- d) None of the above
58. Police can seek a bond for good behaviour u/s. 109 and 110 of Cr.PC from
- a) Habitual offenders
- b) White collar criminals
- c) Jail inmates
- d) None of the above
59. Dayabhaga school Presumes that "a family because it is joint possesses joint property"
- a) This statement is correct
- b) This presumption is under Mitakshara school
- c) This statement is incorrect
- d) None of these
60. Meaning of Industrial Dispute according to the Industrial Dispute Act 1947 is
- a) Dispute between employers and employers
- b) Dispute between employers and workman
- c) Dispute between workmen and workmen in connection with employment and non-employment
- d) All the above

61. English case Ryland V/s. Fletcher laid down a very important rule
- a) Absolute Liability
 - b) Vicarious liability
 - c) Indirect liability
 - d) Financial liability
62. Which of the following is not an essential for a valid sale:
- a) The parties must be competent to contract
 - b) There must be mental consent
 - c) There must be a transfer of property
 - d) There must be an agreement to sell
63. "Custodial death is perhaps one of the worst crimes in a civilised society governed by the Rule of Law". In which case supreme court made this remark,
- a) A.K. Gopalan V/s. State of Madras
 - b) M.C. Mehta V/s. Union of India
 - c) D.K. Basu V/s. State of Bengal
 - d) Visakha V/s. State of Rajasthan
64. A suit for compensation for false imprisonment, the period of limitation is
- a) 3 year's from the date of sentencing the judgement
 - b) 3 year's from the date of release from imprisonment
 - c) 3 year's from the date of commencing the imprisonment
 - d) 1 year when the imprisonment ends
65. Rule of Law is defined by
- a) Jeremy Bentham
 - b) Sir John Salmond
 - c) A.V. Dicey
 - d) Prof. Aristotle
66. What is the time prescribed for filing an FIR
- a) Within 24 hours
 - b) Within 48 hours
 - c) Within 14 days of the offence
 - d) No time limit is specified
67. Which of the following is true of rules framed by the Supreme Court with reference to appeals to it?
- a) They are a special law within Section 4 of the code of civil procedure
 - b) They must take precedence over Section. 114 or Order. 47
 - c) Both (A) and (B)
 - d) None of these
68. An Appeal Against Order Passed under Section 27 of the Consumer Protection Act, 1986 by the National Commission lies in
- a) The High Court
 - b) The Supreme Court
 - c) The Central Government
 - d) Not Appealable
69. Which is the body that award punishments to the advocates for misconduct
- a) Ethics Committee
 - b) Professional Development Committee
 - c) Disciplinary Committee
 - d) High Court
70. Which section of Sale of Goods Act 1930 deal with anticipatory breach of contract
- a) Section 50
 - b) Section 65
 - c) Section 60
 - d) Section 70
71. Criminal proceedings against the infringer is enabled in the Copyright act by invoking the provisions
- a) Section 13-16
 - b) Section 17-27
 - c) Section 63-70
 - d) None of the above
72. Which section of Indian Registration Act 1908 provides with compulsory registration of Instrument of Gifts and Immovable Properties
- a) Section 11
 - b) Section 13
 - c) Section 17
 - d) None of the above

73. State government's power to control the road transport is provided in the Motor Vehicle Act 1988 Under section,
- 67 of MV Act 1988
 - 68 of MV Act 1988
 - 69 of MV Act 1988
 - None of the above
74. Doctrine of "LIS PENDENS" is given under which section of the transfer of property Act
- 41
 - 52
 - 53
 - 53A
75. Which of the following statements is true regarding the characteristics of International Law?
- It is a true law
 - It has vertical structure
 - It has well established institutes of governance
 - It has formal law enforcing agencies
76. Deferred *mahr* is payable at the time of divorce or at the time of death of spouse.
- This statement is true under Sunni law.
 - This statement is not true.
 - Deferred *mahr* is payable only at the time of divorce.
 - Deferred *mahr* is payable only at the time of death of the spouse.
77. Dying declaration must be made by
- The dying person in hospital
 - The doctor who is treating the deceased in hospital
 - The deceased before death
 - Nearest relative of the deceased
78. Judgement should be delivered to the parties or to their pleaders in the open court
- By delivering the whole of the judgement
 - By reading out the whole of the judgement
 - By reading out the operative part of the judgement
 - All of the above
79. Which of the following deals with the evidence for prosecution
- Section 242 Cr.P.C
 - Section 264 Cr.P.C
 - Section 237 Cr.P.C
 - Section 235 Cr.P.C
80. Abetting the Commission of suicide is given under
- Section 9 of IPC
 - Section 8 of IPC
 - Section 7 of IPC
 - None of the above
81. Control over sub ordinate courts shall be vested in the
- High Court
 - Supreme Court
 - Chief Minister
 - Governor
82. Section 34 of the CPC provides
- The Payment of fine imposed by the court
 - Payment of compensation to the other party
 - Payment of interest
 - None of the above
83. Any question suggesting the answer which the person putting it expects to receive is called :
- Coercive question
 - Confusing question
 - Misleading question
 - Rhetoric Question
84. According to clauses (i),(ii) and (iii) of section 145 of the code of civil Procedure a surety:
- May render himself personally liable
 - He may only give a charge upon his property
 - He may undertake a personal liability and charge his property as further charge
 - All of these

85. Section 49 of Factories Act 1947 explains about
- Canteen
 - Creche
 - Welfare officer
 - Rest room
86. The word "case" used in Section. 115 of the code of civil Procedure is of wide import and
- It means any state of facts juridically considered
 - It includes civil proceeding other suits and is not restricted to anything contained in the section to the entirety of the proceeding in a civil court
 - Both (A) and (B)
 - None of these
87. "A" finds a purse with money not knowing to whom it belongs , he afterwards discovers that it belongs to "B" and appropriates to his own use."A" is guilty of
- Criminal breach of trust
 - Cheating
 - Criminal misappropriation
 - Theft
88. The word "is not possessed of sufficient means " in Order 33 Rule 1 refer :
- To dower debt due by the petitioner's husband
 - To property over which petitioner has actual control
 - To sufficient property and excludes sole means livelihoods
 - None of these
89. Section 22 B of Legal Services Authority Act empower the central and state Authorities to
- Abolish Lok Adalat
 - Works of Lok Adalat
 - Powers of Lok Adalat or permanent Lok Adalat
 - None of the above
90. Indian Evidence Act was enacted in
- 1972
 - 1872
 - 1955
 - 1986
91. Which is the correct state statement with regard to the professional ethics of a lawyer
- Lawyers have no right to go on strike or give a call for boycott
 - An advocate shall not influence the decision of a court by any illegal or improper means
 - An advocate abusing the process of the court is guilty and misconduct
 - All of the above
92. Droite Administration is a system of administration
- French system
 - British system
 - American System
 - Irish System
93. Which Act is covering the Cyber crimes
- Indian Telecommunication Act
 - Indian Penal Code
 - Indian Evidence Act
 - Information Technology Act
94. In the tort of conspiracy , the purpose of combination must be to
- Violate legal right of the victim
 - Cause damage to the victim
 - Obtain benefit for the combiners
 - Perfect the interest of combiners
95. Cancellation of instrument is mentioned in
- Section 8-2S of Specific Relief Act
 - Section of 26 of Specific Relief Act
 - Section 31-33 of specific Relief Act
 - Sections 36-42 of Specific Relief Act
96. Unfair labour practice by the employers
- Victimization
 - False implication in criminal case
 - Untrue allegations of absence without leave
 - All the above

97. The Coastal Regulation Zone Notification was issued by the Central Government in
- a) 1986
 - b) 1988
 - c) 1991
 - d) 1997
98. Who is lawful guardian
- a) A person who in law represents the Minor :
 - b) A person who has been appointed by the court
 - c) A person who has been authorised to represent an unmarried daughter
 - d) All the above
99. Under the Companies Act every person subscribing to the Memorandum of a company must take at least
- a) 100 shares
 - b) 20 shares
 - c) 10 shares
 - d) 1 share
100. GST came into force from
- a) 1st January 2017
 - b) 1st April 2017
 - c) 1st July 2017
 - d) 1th August 2017